

ARBITRATION

Convention signed at Washington April 6, 1908

Senate advice and consent to ratification April 17, 1908

Ratified by Portugal September 21, 1908

Ratified by the President of the United States November 6, 1908

Ratifications exchanged at Washington November 14, 1908

Entered into force November 14, 1908

Proclaimed by the President of the United States December 14, 1908

*Extended by agreements of June 28, 1913; ¹ September 14, 1920; ² and
September 5, 1923 ³*

Expired November 14, 1928

35 Stat. 2085; Treaty Series 514

The Government of the United States of America and the Government of Portugal, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899; ⁴

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment,

Have authorized the Undersigned to conclude the following arrangement:

ARTICLE I

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of either of the two Contracting States, and do not concern the interests of third Parties.

¹ TS 601, *post*, p. 329.

² TS 656, *post*, p. 336.

³ TS 735, *post*, p. 338.

⁴ TS 392, *ante*, vol. 1, p. 230.

ARTICLE II

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States, such special agreements will be made by the President of the United States by and with the advice and consent of the Senate thereof.

ARTICLE III

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

ARTICLE IV

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by His Majesty the King of Portugal in accordance with the constitutional laws of the Kingdom.

The ratifications of this Convention shall be exchanged at Washington as soon as possible, and it shall take effect on the date of the exchange of its ratifications.

Done in duplicate in the English and Portuguese languages at Washington, this 6th day of April, one thousand nine hundred and eight.

ELIHU ROOT	[SEAL]
ALTE	[SEAL]